

3 PRIMROSE STREET  
NEWTOWN, CONNECTICUT 06470  
TEL. (203) 270-4276  
FAX (203) 270-4278



**TOWN OF NEWTOWN**  
PLANNING & ZONING COMMISSION

MINUTES

Regular Meeting

Council Chambers, 3 Primrose Street

April 21, 2016 7:30 P.M.

**Present:** Mr. Mulholland, Mr. Mitchell, Mr. Swift, Ms. Cox, Mr. Taylor (A), Mr. Meadows, Ms. Manville

**Absent:** Mr. Corigliano

**Also Present:** George Benson, Director of Planning, Carl Samuelson, Parks and Recreation (P&R), Wes Thompson, Economic Development Commission (EDC)

Mr. Mulholland called the meeting to order at 7:32 pm.

**Public Hearings**

Application 16.03 Proposed One Year Trial Amendment to the Town of Newtown Zoning Regulation, Article I, Section 2 – Interpretations and Definitions, to read “Farmer’s Market- a seasonal outdoor event where items are offered for sale to the general public such goods as fruits, vegetables, herbs, plants, flowers, eggs, honey, maple syrup, dairy products, jams, jellies and baked foods and seasonal items including Christmas trees, cemetery baskets, etc. (added, April 28, 2003) For Profit, Temporary food establishments (as defined by the CT Public Health Code) are allowed”

Mr. Mitchell read the call for the hearing. Mr. Mulholland asked to hear from the applicant. Wes Thompson, EDC, spoke on behalf of Market Master, Mary Fellows, who was unable to attend the meeting. Mr. Benson presented a memorandum from the Land Use Department, and explained the one year trial. Mr. Benson and Mr. Thompson have been working together with the Health Department and participants of the Farmers Market. Members were concerned that allowing prepared foods would take away from the Farmer’s business.

Pam Buchler, 39 Eden Hill Road, owns Aquarian Catering, and spoke in favor of allowing Temporary Food Establishments (TFE). Ms. Buchler explained that a decline in traffic to the Market over the past few years may be due to local areas providing more services at their Markets. She thought expanding the Market would work nicely with the addition of the Community Center.

*These minutes are subject to approval of the Commission at their next meeting.  
All correspondences and a recording of this meeting are available in the Land Use Office.*

Mary Ann Jacob, 65 Mohawk Trail, speaking as a private citizen, said she thought the proposal was a 'low risk option' and would greatly enhance the experience. Ms. Jacob asked the Commission to think about the short period of time this change would affect, giving the season runs for about 4 months.

Sue Shortt, 11 Cherry Street, of Shortt's Farm, spoke in favor of working with food vendors. She addressed the Commission's concerns that the event would not turn into a fair, and ensures keeping the small town feel. Ms. Shortt also explained that Tuesday does work as the best day of the week for the Market.

Ryan Knapp, 11 Jeremiah, speaking as a private citizen, endorsed the amendment, saying that more vendors means more options. He believed it would increase 'a vibrant presence on the campus'.

Bill Brunetti, 77 Butterfield, owner of Hog Wild BBQ, is interested in serving his smoked meats, either in packaged take-home servings or fresh sandwiches to eat at the campus.

Bob Rau, 12 Lake Road, member of the Economic Development Commission, said that small businesses are the core of Newtown, and believes there is nothing that encompasses Newtown better than the Farmer's Market. He would like the Commission to take any necessary action to help the Market flourish.

Mr. Swift asked if preference would be given to Newtown TFE. Mr. Benson explained that the opportunity to sign on as a Vendor will not be broadcasted at least at first, and will likely be on a first come first serve basis. Mr. Taylor asked if TFE's will only be allowed on campus during the Market. Mr. Benson affirmed yes, the only other time may be through a special event, and used the example of Relay for Life. Mr. Mulholland wanted to be sure that there would be no garbage left on the campus, and asked about trash receptacles. Carl Samuelson, P&R, said there are four bins along the trails. Mr. Swift asked why "For Profit" was included in the trial regulation, Mr. Benson agreed that "for profit" should be removed.

Mr. Mitchell made a motion to close the Public Hearing, Mr. Swift seconded. All were in favor. The Public Hearing on application 16.03 was closed at 8:22pm.

Mr. Mitchell read the following:

**BE IT RESOLVED** by the Newtown Planning and Zoning Commission that application 16.03 Proposed One Year Trial Amendment to the Town of Newtown Zoning Regulation, Article I, Section 2 – Interpretations and Definitions, to read "Farmer's Market- a seasonal outdoor event where items are offered for sale to the

general public such goods as fruits, vegetables, herbs, plants, flowers, eggs, honey, maple syrup, dairy products, jams, jellies and baked foods and seasonal items including Christmas trees, cemetery baskets, etc., temporary food establishments (as defined by the CT Public Health Code) are allowed” as stated in an application dated April 4, 2016, is consistent with the purpose and intent of the Newtown Plan of Conservation and Development, the Comprehensive Plan, and the Fairfield Hills Master Plan.

BE IT FURTHER RESOLVED that the application shall be approved with the following conditions enforced by the Market Master:

1. That a maximum of three food trucks be allowed at each Farmer’s Market event.
2. The trucks will be located in the parking lot between Shelton House and the Municipal Center as depicted on the attached map.
3. That the food truck vendors register at least two weeks prior to the first Farmers Market.
4. If there are more than three food truck applications, the Market Master will conduct a lottery to determine who will be allowed to attend.
5. This amendment will be effective for one year and will be reevaluated after the Farmers Market 2016 Season.

BE IT FURTHER RESOLVED that the application shall become effective on May 6, 2016.

Mr. Swift made a motion to accept. Mr. Taylor seconded.

The Commission took a vote:

Mr. Mulholland	YES
Mr. Mitchell	YES
Mr. Swift	YES
Mr. Taylor	YES
Ms. Cox	YES

The motion passed unanimously.

Application 16.04 by Newtown Parks and Recreation for a Special Exception Amendment for Glander Field 3, for a project consisting of grading the existing area to achieve a 1% Grade to accommodate a 70 foot baseline baseball field with a conventional backstop, graded infield area and 250 foot outfield, irrigation and a courtesy outlet at the backstop, described on a map entitled: Fairfield Hills Master Plan, Site Plan Rendering dated August 26, 2013.

Mr. Mitchell read the call for the hearing. Ms. Samuelson, P&R, explained that this field is being created to retain a total of 9 youth baseball fields. Lower Liberty field will be transformed from a baseball field to a softball diamond, creating the need for Glander Site 3 to be built. This field is also part of the Fairfield Hills Master Plan. Ms. Cox was concerned about the proximity to the walking trail. Mr. Samuelson assured that a safety buffer is part of the design.

Mr. Mulholland asked if the demolition of Canaan House would serve as an area for more parking, to which Mr. Samuelson said yes, more fields and more parking. There will be some trees coming down, as well as the removal of invasive plants. The plan includes replanting behind the backstop and towards the Emergency Operations Center. Mr. Swift asked about parking issues during tournaments, and Mr. Samuelson said that P&R may require tournaments to hire parking attendants to facilitate.

With no members of the public speaking towards the application, Mr. Mitchell made a motion to close the hearing. Mr. Mulholland seconded, with all in favor to close the hearing at 8:35pm.

Mr. Mitchell read the following:

BE IT RESOLVED by the Newtown Planning and Zoning Commission that the application 16.04 by Newtown Parks and Recreation for a Special Exception Amendment for Glander Field 3, for a project consisting of grading the existing area to achieve a 1% Grade to accommodate a 70 foot baseline baseball field with a conventional backstop, skinned infield area and 250 foot outfield, irrigation and a courtesy outlet at the backstop, described on a map entitled: Fairfield Hills Master Plan, Site Plan Rendering dated August 26, 2013, is consistent with the purpose and intent of the Newtown Plan of Conservation and Development, the Comprehensive Plan, and the Fairfield Hills Master Plan.

BE IT FURTHER RESOLVED that the application shall be approved and shall become effective on May 6, 2016.

Ms. Cox made a motion to accept. Ms. Manville seconded.

The Commission took a vote:

Mr. Mulholland	YES
Mr. Mitchell	YES
Mr. Swift	YES
Mr. Taylor	YES
Ms. Cox	YES

The motion passed unanimously.

## **Mandatory Referral**

Mr. Mulholland asked Mr. Benson to introduce the referral for the Newtown Community Center. He explained it as an approximately 43,000 square foot building with two main features; 13,000 sq. ft. of programmable space; and an aquatics center including a 50 meter lap pool and a zero-entry pool. He also explained that a Site Development Plan will be submitted to the Commission once completed. With no comments from Commission members, Mr. Mitchell read the following:

BE IT RESOLVED by the Newtown Planning and Zoning Commission that the referral for a Community Center located at Fairfield Hill Campus of some 43,000 square feet comprised of two main features, including at least 13,000 sq. ft. of flexible, programmable space for general community use and an aquatics component with two pools, a lap pool of up to 50 meters and a zero-entry pool, necessary site work, parking and support features such as locker rooms, offices, and bathrooms are included, is hereby found to be consistent with the Plan of Conservation and Development.

BE IT FURTHER RESOLVED that the referral shall be approved.

Ms. Manfield made a motion to accept. Mr. Swift seconded.

The Commission took a vote:

Mr. Mulholland	YES
Mr. Mitchell	YES
Mr. Swift	YES
Mr. Taylor	YES
Ms. Cox	YES

The motion passed unanimously.

## **Minutes of April 4, 2016**

Mr. Mulholland explained that he and Mr. Benson wanted to gather more information before the Open Space Discussion which had tentatively reserved a spot on the agenda per the Minutes from April 4. No other comments were made.

Mr. Mitchell made a motion to accept the minutes. Ms. Cox seconded. All were in favor. The minutes from April 4, 2016 were approved.

## **SHDD Discussion**

Mr. Benson gave an overview of the discussion concerning a residential home and an apartment in a detached building on the same lot. He explained that the lot sizes and configurations in the SHDD are typically different than other zones in town. Mr. Swift asked if this would be limited to existing structures, and many agreed. Mr. Benson explained that if the Commission would like to further pursue, a self-application will need to be produced and opened for a public hearing. It was agreed to be on the next possible agenda (May 19 due to necessary legal postings).

## **Adjournment**

With no further business; Mr. Meadows made a motion to adjourn, Mr. Mitchell seconded. The meeting was adjourned at 8:55pm.

*Respectfully Submitted,  
Georgia Contois, Clerk*